

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

David L. Latimer et al.

Serial No.: 09/976,839

Filed: October 12, 2001

For: **SYSTEM AND METHOD FOR  
TRAINING AND MONITORING DATA  
READER OPERATORS**

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) **Group Art Unit: 2876**  
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) **Examiner: Sanders, Allyson R.**  
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INFORMATION DISCLOSURE STATEMENT

Mail Stop 313(c)  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application

CERTIFICATE OF MAILING  
(37 C.F.R. § 1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with in an envelope as "Express Mail Post Office to Addressee" addressed to Mail Stop 313(c), Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Express Mail No. EV105704715US

May 28, 2003

Date of Deposit

PortInd2-4429778.1 0051306-00708

Sandi Lekar

Name of Person Mailing Paper

*Sandi Lekar*  
Signature of Person Mailing Paper

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OFFICE OF PETITIONS

filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

☐ Applicant sets forth below concise explanation of the relevance of each document not in the English language and/or selected documents(s) in the English language.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

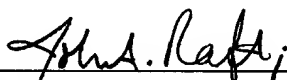
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).
- ☐ Please charge PSC's Deposit Account No. **13-4953** for the above fee(s).
- ☐ The Commissioner is authorized to charge PSC's Deposit Account No. 13-4953 for any fees which may be required.<sup>1</sup>

Respectfully submitted,

STOEL RIVES LLP

Dated: May 28, 2003

By: \_\_\_\_\_

  
John A. Rafter, Jr.  
Reg. No. 31,653

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<sup>1</sup> The Commissioner is authorized to charge Stoel Rives LLP's Deposit Account No. 19-4455 if the above-referenced Account No. 13-4953 has insufficient funds.